

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CORNELIUS TAYLOR,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 3:25-68
v.	)	Judge Nora Barry Fischer
	)	Magistrate Judge Keith Pesto
SCI HOUTZDALE, et al.,	)	
	)	
Defendants.	)	

**ORDER OF COURT**

AND NOW, this 5th day of June, 2025, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Keith Pesto on May 12, 2025, (Docket No. 5), explaining that he had entered orders denying Plaintiff's motion to proceed in forma pauperis and administratively closing this case because Plaintiff is a three-strikes litigant under 28 U.S.C. § 1915(g), *see Taylor v. Hall*, App. No. 21-1304 (3d Cir. 2021), and *Taylor v Klinefelter*, Civ. A. No. 3:24-cv-48-NBF-KAP, Docket No. 13 (W.D.Pa. January 22, 2025), such that he is barred from proceeding in forma pauperis absent a showing that he is "under imminent danger of serious physical injury," *Abdul-Akbar v. McKelvie*, 239 F.3d 307, 312 (3d Cir. 2001), but presented no such allegations meeting this stand in his Complaint, and that the matter may be reopened if Plaintiff pays the filing fee and then dismissed for failure to state a claim but that the Complaint should be dismissed for failure to prosecute if the filing fee is not paid and Magistrate Judge Pesto having directed that objections to the Report and Recommendation were due within 14 days, (Docket No. 5), such that objections from non-ECF users like Plaintiff were due by May 29, 2025 and no further action having been taken by Plaintiff as of the date of this Order such that no objections have been lodged to the Report and Recommendation, no appeal has been filed

as to the denial of the motion to proceed in forma pauperis and the filing fee has not been paid, and upon independent review of the record and de novo consideration of the Magistrate Judge's Report and Recommendation, (Docket No. 5), which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that as Plaintiff has not appealed the Order denying his Motion to Proceed In Forma Pauperis [1] and he has not paid the filing fee, Plaintiff's Complaint (Docket No. 1-1) is DISMISSED, without prejudice, for failure to prosecute;

IT IS FURTHER ORDERED that this case shall remain CLOSED; and,

FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

*s/ Nora Barry Fischer*

Nora Barry Fischer  
Senior U.S. District Judge

cc/ecf: United States Magistrate Keith Pesto

cc: Cornelius Taylor MH-5213  
S.C.I. Houtzdale  
P.O. Box 1000  
209 Institution Drive  
Houtzdale, PA 16698  
(via first class mail)